

REMARKS/ARGUMENTS

This Preliminary Amendment is in response to the Advisory Action dated May 26, 2005. In the Advisory Office, claims 1-23 remained rejected under 35 U.S.C. §103(a). Applicant respectfully traverses the rejection because *a prima facie* case of obviousness has not been established. Independent claims 1, 9, 14 and 18 have been amended.

Request for Examiner's Interview

The Examiner is respectfully requested to contact the undersigned by telephone at the phone number listed below if after review, such claims are still not in condition for allowance. This telephone conference would greatly facilitate the examination of the present application. The undersigned attorney can be reached at the telephone number listed below.

Rejection under 35 U.S.C. §103(a)

Claims 1-23 remained rejected under 35 U.S.C. §103(a) as being unpatentable over Ishac (U.S. Patent No. 5,812,861) in view of Russell (U.S. Patent No. 4,841,492) and Brown (U.S. Patent No. 6,487,667). Applicant respectfully traverses the rejection because *a prima facie* case of obviousness has not been established.

As the Examiner is aware, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify a reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all of the claim limitations. *See MPEP §2143; see also In Re Fine, 873 F. 2d 1071, 5 U.S.P.Q.2D 1596 (Fed. Cir. 1988).* Herein, at a minimum, the combined teachings of the cited references do not describe or suggest all the claim limitations.

Herein, Ishac teaches an indicator (325) of override circuitry (320) that, when set, transmits an OVER-RIDE signal to powerdown controller (310). The indicator (325) is configured to indicate when the die is to be placed into powerdown mode independently of any

external powerdown signals (PWD#). More specifically, when the indicator (325) is set, the OVER-RIDE signal causes the powerdown controller (310) to ignore any power-up commands from an external powerdown signal (PWD#). When the indicator (325) has not been set, however, the OVER-RIDE signal will not cause powerdown controller (310) to ignore a power-up command. *See col. 6, lines 31-48 of Ishac. Russell* teaches an output disable pin of phase selector (22), which is used to inhibit an output of any signal by a transmit focus block (12i) and provides no teaching of preventing access to stored information. In addition, *Brown* teaches a remote pass-phrase authentication technique, which is unrelated to the scope of the claimed invention.

Neither *Ishac*, *Russell* nor *Brown*, alone or in any combination, suggests an operation of preventing modification of a representation of a primary pass-phrase (e.g., pass-phrase itself, derivation of the pass phrase, etc.) when the override disable pin is asserted. The “primary pass-phrase” permits access to stored information within the electronic system, normally information stored within non-volatile memory. Hence, in certain situations as stated previously, when the override disable pin is asserted and the user accidentally forgets the pass-phrase, he or she is fully precluded from accessing the stored information that may render the device inoperable.

Rather, when combining the teachings of these references, the resultant combination produces a disable pin that, when set, *ignores* any subsequent, external power-up commands. *Emphasis added.* There is no operation involved to *prevent modification of the pass-phrase* as claimed. *Emphasis added.* In other words, the combined teachings do not teach or even suggest the use of a disable pin to prevent access to the stored, primary pass-phrase which is responsible for permitting access to stored information within the electronic system as set forth in claims 1, 9 and 18.

Moreover, with respect to independent claim 14, neither *Ishac*, *Russell* nor *Brown*, alone or in any combination, suggests an operation of disabling placement of an integrated circuit device of the electronic system into the administrator mode when an override disable pin of the integrated circuit device is asserted prior to assertion of an override pin. As further claimed in

claim 14, data stored within the integrated circuit device "can be cleared only when the integrated circuit device is placed in the administrator mode."

Conclusion

Applicant respectfully believes that all claims are in condition for allowance. Allowance of the pending claims is respectfully requested at the Examiner's earliest convenience.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: June 27, 2005

By


William W. Schaal

Reg. No. 39,018

Tel.: (714) 557-3800 (Pacific Coast)

12400 Wilshire Boulevard, Seventh Floor
Los Angeles, California 90025

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

☒ deposited with the United States Postal Service
as first class mail in an envelope addressed to:
Commissioner for Patents, PO Box 1450,
Alexandria, VA 22313-1450.

FACSIMILE

☐ transmitted by facsimile to the Patent and
Trademark Office.

Date: 06/27/2005


Susan McFarlane

06/27/2005

Date